

ZB# 83-23

Sam Armstrong

35-1-3.72

#83-23 - Armstrong, Sam.

Public Hearing:

June 27 1983.
Concessions Granted

6/7/83. Notice to Sentinel

Wed Notice
of Disapproval

General Receipt

5267

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, N. Y. 12550

July 12 19 83

Received of

Sam Armstrong

\$ 25⁰⁰/₁₀₀

Twenty Five and 00/100 DOLLARS

For

Zoning Application 83-23

DISTRIBUTION

FUND	CODE	AMOUNT
<u>\$25.00</u>	<u>Check</u>	
<u>Check # 1202</u>		

By

Pauline G. Townsend

C.C.

Town Clerk

Title

NEW WINDSOR ZONING BOARD OF APPEALS

-----X
In the Matter of the Application of

SAMUEL J. ARMSTRONG

DECISION GRANTING
VARIANCE

83-23.

-----X
WHEREAS, SAMUEL J. ARMSTRONG of R.D. #2- Riley Road,
New Windsor, N. Y. (R4-A zone), ha s made application before the
Zoning Board of Appeals for area variances for the purposes of:
construction of one-family residence with insufficient front & rear yards,
and

WHEREAS, a public hearing was held on the 27th day of
June, 19 83 before the Zoning Board of Appeals at the Town Hall,
New Windsor, New York; and

WHEREAS, the applicant appeared in person

_____; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New
Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents
and businesses as prescribed by law and published in The Sentinel, also
as required by law.

2. The evidence shows: lot is ideally suited for a small
residence but is insufficient as far as front and rear yards is concerned

3. The evidence shows that zoning is conducive to a
one-family residential designation

WHEREAS, the Zoning Board of Appeals makes the following findings of law in this matter:

1. The evidence shows that the applicant will encounter practical difficulty if the area variance requested is not granted.

2. The proposed variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

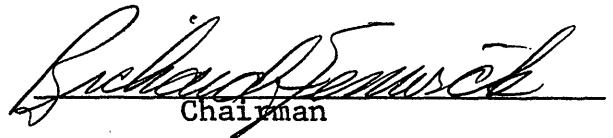
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor grant 5' front yard and 32' rear yard variances in accordance with plans submitted at the public hearing.

BE IT FURTHER,

RESOLVED that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: July 11, 1983


Chairman

82-3

Prelim. Meeting:
9/28/81 -
7:30.

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

2

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. Date SEPTEMBER 8, 1981
To SAMUEL ARMSTRONG
RILEY ROAD
NEW WINDSOR

564-1426

PLEASE TAKE NOTICE that your application dated SEPTEMBER 8, 1981
for permit to ERECT DWELLING
at the premises located at RILEY ROAD

is returned herewith and disapproved on the following grounds:

INSUFFICIENT REAR YARD 8' PROPOSED - 40' REQUIRED
" FRONT " 30' PROPOSED - 35' REQUIRED
REQUIRES SUBDIVISION - ONLY ONE DWELLING UNIT PER LOT

} area
Varian

Howard R. Covert
Building Inspector

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

82-3.
(Number)

6/7/83.
(Date)

I. ✓ Applicant information:

- (a) Samuel J. Armstrong Box 229 Riley Rd 564-142
(Name, address and phone of Applicant)
- (b) Same as above
(Name, address and phone of purchaser or lessee)
- (c) none
(Name, address and phone of attorney)
- (d) none
(Name, address and phone of broker)

II. Application type:

- ☐ Use variance
- ☒ Area variance
- ☐ Sign variance
- ☐ Special permit

III. ✓ Property information:

(a) R4-A Riley Rd. 35-1-3.72 60 x 280'
(Zone) (Address) (S B L) (Lot size)

(b) What other zones lie within 500 ft.? _____

(c) Is a pending sale or lease subject to ZBA approval of this application? no.

(d) When was property purchased by present owner? 7/1/82

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

82-3.
(Number)

6/7/83.
(Date)

I. ✓ Applicant information:

- (a) Samuel J. Armstrong Box 229 Riley Rd 564-142
(Name, address and phone of Applicant)
- (b) Same as above
(Name, address and phone of purchaser or lessee)
- (c) none
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- ☐ Sign variance
- ☐ Special permit

III. ✓ Property information:

(a) R4-A Riley Rd. 35-1-3.72 60 x 280'
(Zone) (Address) (S B L) (Lot size)

(b) What other zones lie within 500 ft.? _____

(c) Is a pending sale or lease subject to ZBA approval of this application? no

(d) When was property purchased by present owner? 7 yrs ago

(e) Has property been subdivided previously? no When? _____

(f) Has property been subject of variance or special permit previously? no When? _____

(g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? no If so, when _____

(h) Is there any outside storage at the property now or is any proposed? Describe in detail. none

☐ IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____, to allow _____

(Describe proposed use)

~~To build a ranch style House measuring 24 x 44 ft on said land~~

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

~~My father died last year and my mother can live there closer to me in case she should need help etc -~~

☒ V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table Bulk Regs., Column 6 + 8

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yard	<u>35'</u>	<u>30'</u> <u>5'</u>
Reqd. Side Yards	<u>1</u>	<u>1</u>
Reqd. Rear Yard	<u>40'</u>	<u>8'</u> <u>32'</u>
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Development Coverage*	2	2

(Describe proposed use)

~~To build a ranch style House measuring 24 x 44 ft on said land~~

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

~~My father died last year and my mother can live there closer to me in case she should need help etc -~~



V.

Area variance:

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<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yard <u>35'</u>	<u>30'</u>	<u>5'</u>
Reqd. Side Yards <u>1</u>	<u>1</u>	<u>1</u>
Reqd. Rear Yard <u>40'</u>	<u>8'</u>	<u>32'</u>
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Development Coverage* %	%	%
Floor Area Ratio**		

* Residential districts only

** Non-residential districts only

- ✓ (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

Lot is ideally suited for a small house. Land is uselessly wasted for a lawn or etc because it is on the end of my house and I have no other use for it.



VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

Lot is ideally suited for a small house. Land is uselessly wasted for a lawn or etc because it is on the end of my house and I have no other use for it.



VI.

Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

☐ VII. Special Permit:

- (a) Special permit requested under New Windsor Zoning Local Law, Section _____, Table _____, Column _____.
- (b) Describe in detail the use and structures proposed for the special permit.

☐ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

☒ IX. Attachments required:

- ☒ Copy of letter of referral from Building and Zoning Inspector.
- N/A Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of tax map showing adjacent properties
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- N/A Copy(ies) of sign(s) with dimensions.
- ☒ Check in amount of \$25.00 payable to Town of New Windsor.

- (b) Describe in detail the use and structures proposed for the special permit.



VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)



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☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.

N/A Copy(ies) of sign(s) with dimensions.

☒ Check in amount of \$25.00 payable to Town of New Windsor.

N/A Photos of existing premises which show all present signs and landscaping.

All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.

____ Other

X. AFFIDAVIT

Date June 83

STATE OF NEW YORK)
COUNTY OF ORANGE) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Samuel J. Armstrong
(Applicant)

Sworn to before me this

7th day of June, 1983.

Patricia Delio

PATRICIA DELIO
Notary Public, State of New York
Appointed in Orange County
My Commission expires Mar. 30, 1985

XI. ZBA Action:

(a) Public Hearing, date _____

(b) Variance is _____

Special Permit is _____

(c) Conditions and safeguards: _____

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COUNTY OF ORANGE) SS.:

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Samuel J. Armstrong
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(a) Public Hearing, date _____

(b) Variance is _____

Special Permit is _____

(c) Conditions and safeguards: _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals
of the TOWN OF NEW WINDSOR, New York will hold a
Public Hearing pursuant to Section 48-34A of the
Zoning Ordinance on the following proposition:

Appeal No. 23

Request of SAMUEL J. ARMSTRONG

for a VARIANCE ~~SPECIAL PERMIT~~ of
the regulations of the Zoning Ordinance to
permit construction of one-family residence
with insufficient front and rear yards

being a VARIANCE ~~SPECIAL PERMIT~~ of
Section 48-12 - Table of Bulk Regs. - Cols. 6 & 8
for property situated as follows:

Riley Road, New Windsor, N.Y.

Section 35-Block 1 - Lot 3.72

SAID HEARING will take place on the 27th day of
June, 19 83, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

RICHARD FENWICK
Chairman

By: Patricia Delio, Secretary

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD
FROM: ZONING BOARD OF APPEALS
SUBJECT: PUBLIC HEARINGS BEFORE THE ZBA - June 27, 1983
DATE: June 20, 1983

Please be advised that the following matters will be heard before the Zoning Board of Appeals on Monday evening, June 27, 1983:

- (1) HORTON, RAYMOND - Request for 10 ft. side yard variance;
- (2) ARMSTRONG, SAM - Request for front and rear yard variances;
- (3) VITOLO, REGIERO and
WEED, GENE - Request for 112 ft. sign area variances.

I have attached hereto copies of the pertinent applications together with the public hearing notices which appeared in The Sentinel.

Pat

/pd
Attachments

cc: Patrick Kennedy, Town Building/Zoning Officer



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK
(914) 565-8550

Date: June 28, 1983

Mr. Samuel J. Armstrong
R. D. 2 - Riley Road
New Windsor, N. Y. 12550

RE: APPLICATION BEFORE ZONING BOARD OF APPEALS
83-23 - ARMSTRONG

Dear Mr. Armstrong:

This is to confirm that your above application before the
New Windsor Zoning Board of Appeals was granted
at a meeting held on the 27th day of June, 1983.

A formal decision will be drafted and acted upon at a later
date. You will be receiving a copy of same by return mail.

Meanwhile, if you have any further questions, please do not
hesitate to call me.

Yours very truly,

PATRICIA DELIO, Secretary
New Windsor Zoning Board of Appeals

/pd

cc: Patrick Kennedy, Bldg/Zoning Inspector
Town Planning Board

Public Hearing: Armstrong, Sam (Riley Rd.) 6/27/83

Name:

Address:

Kirk J Williams

200 Riley Rd. N.W.

~~Anthony Spauld~~

~~202 Riley Rd N.W.~~



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

June 3, 1983

15 on list

Mr. Sam Armstrong
RD#2 Riley Road
New Windsor, N.Y. 12550

RE: 35-1-3.72

Dear Mr. Armstrong:

According to my records, the attached list of property owners are within five hundred (500) feet of the above mentioned property.

The charge for this service is \$15.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

A handwritten signature in cursive script that reads 'Paula Sarvis'.

PAULA SARVIS
Assessor
Town of New Windsor



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

1763

Infante, Philip J. & Winifred M.
RD#2 Riley Road
New Windsor, N.Y. 12550 ✓

Williams, Kirk & Rosemary ✓
Domino, Gaspar S. & Ethel L.
RD#2 Riley Road
New Windsor, N.Y. 12550

Farnovsky, George V. & Evelyn M. ✓
RD#2 Riley Road
New Windsor, N.Y. 12550

7 Acres Sportsmen Club Inc.
C/O Philip Infante ✓
RD#2 Riley Road
New Windsor, N.Y. 12550

Petronella Francesco & Edythe D. ✓
75 Harth Drive
New Windsor, N.Y. 12550

Sorbello, Anthony T. & Vinenzia L. ✓
RD#2 Riley Road
New Windsor, N.Y. 12550

Donohue, Peter R. & Mary J. ✓
RD#2 Kings Drive
New Windsor, N.Y. 12550

Romanowski, Craig A. & Arden A. ✓
Shaw Road
Rock Tavern, N.Y. 12575

McAndrew E&D; Donahue M&J ✓
Turczany R&P
C/o Martin
RD#2 Box 308
Wallkill N.Y. 12589

Montone, Richard & Diane ✓
7 Truex Circle
New Windsor, N.Y. 12550



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

Davis Leonidas ✓
211 Main Street
Highland Falls, N.Y. 10928

New York City Water
Div. Eng. Gas & Electric ✓
Real Est. EIV Room 2417
Dept. of Water Supply
N.Y. N.Y. 100007

Sorbello, Vincent & Patricia ✓
RD#2 Riley Road
New Windsor, N.Y. 12550

Tucker, Helen C. ✓
13 Hickory Avenue
New Windsor, N.Y. 12550

Babcock, Stephen A.
Box 537 Temple Hill Road
Vails Gate, New York 12584

